



CIVILIAN POLICE REVIEW BOARD

THE BYLAWS OF THE CIVILIAN POLICE REVIEW BOARD

CITY OF COLUMBUS

As Adopted October 5, 2021

BYLAWS OF THE CIVILIAN POLICE REVIEW BOARD

TABLE OF CONTENTS

ARTICLE I – SCOPE OF BYLAWS, PURPOSE, AND AUTHORITY

ARTICLE II – MEMBERS

ARTICLE III – ORGANIZATION AND OFFICERS

ARTICLE IV – DUTIES OF MEMBERS AND STANDARDS OF CONDUCT

ARTICLE V – INSPECTOR GENERAL DEPARTMENT PERSONNEL

ARTICLE VI – LEGAL COUNSEL

ARTICLE VII – PROCEDURAL RULES FOR REGULAR MEETINGS

ARTICLE VIII – ADOPTION, CERTIFICATION, AND PUBLICATION OF RULES AND REGULATIONS

ARTICLE I – SCOPE OF BYLAWS, PURPOSE, AND AUTHORITY

SECTION 1. SCOPE OF BYLAWS

The Civilian Police Review Board (the “CPRB” or the “Board”), constituted pursuant to the City Charter and Chapter 235 of the Columbus City Codes, adopts these Bylaws (the “Bylaws”) in accordance with Columbus City Codes §235.02 and §121.02 to outline the procedures by which the Board will conduct its work.

SECTION 2. CERTIFICATION AND PUBLICATION OF BYLAWS

Immediately upon adoption by a two-thirds (2/3) vote of the seated Board, a copy of these Bylaws shall be certified and attested to by the chairperson. The certified copy shall be submitted by the Administrative Coordinator for filing with the City Clerk and publication in the City Bulletin within twenty (20) calendar days thereafter in accordance with Columbus City Codes §121.05. These Bylaws shall become effective on the tenth day following publication in the City Bulletin.

A copy of these Bylaws shall be maintained by the Administrative Coordinator on behalf of the Board and by the Columbus City Clerk.

SECTION 3. AMENDMENTS

The Board may amend these Bylaws from time to time by a two-thirds (2/3) vote of the seated Board. All Board members must receive a copy of any proposed Bylaw amendment(s) at least seven (7) business days prior to a vote on the proposed amendments. Proposed amendment(s) shall be distributed to all members in the same manner as regular meeting materials.

Amendments adopted pursuant to the foregoing procedures shall be effective on the tenth calendar day after promulgation by publication in the City Bulletin in accordance with Columbus City Codes §121.05.

SECTION 4. PURPOSE AND AUTHORITY

The purpose of the Board is to discharge the duties and functions designated to the Board by the City Charter, Chapter 235 of the Columbus City Codes, and as provided for by ordinance of Council. The Board is empowered to make, adopt, and amend its own procedures for the conduct of its meetings and proceedings in accordance with these Bylaws. The Board is likewise empowered, pursuant to Section §121.05, to make, adopt, and amend rules and

regulations pertaining to the duties of the Board in accordance with the process provided for in these Bylaws.

SECTION 5. DEFINITIONS

Terms not otherwise defined in these Bylaws shall have the meaning prescribed in Chapter 235 of the Columbus City Codes.

ARTICLE II – MEMBERS

SECTION 1. APPOINTMENTS AND TERMS

The Board shall consist of eleven volunteer members as outlined in §235.01 of the Columbus City Codes. A quorum shall exist when a majority of the members appointed to and serving on the Board are present. Unless a greater number is otherwise required by these Bylaws, a majority vote of the total votes of the Board members present when a quorum exists shall constitute action by the Board.

Initial Board members shall be appointed for staggered terms. Thereafter, each member shall be appointed for a term of three years. Members may serve more than one term but may not serve more than two terms consecutively.

A Board member who, for any reason, seeks to voluntarily resign from the Board shall do so by submitting a written letter of resignation to the Chairperson. The Chairperson of the Board shall send notification to the Administrative Coordinator requesting replacement of the member by the Mayor as provided for in §235.01(A). Any member appointed to a position that has been vacated prior to the expiration of the position's three year term shall be appointed to serve out the remainder of the unexpired term.

SECTION 2. COMPREHENSIVE TRAINING PROGRAM

Pursuant to §235.01(C), upon appointment but prior to beginning their duties, each newly appointed member of the Board shall be required to complete “a basic course of training, including instruction in police tactics, ride-alongs with patrol officers, seminars on relevant constitutional and criminal law, instruction in de-escalation techniques, and training in diversity, inclusion, cultural competency, and implicit bias.” In consultation with the office of the City Attorney, a comprehensive training program shall be provided to each new member of the Board which program shall meet all of the following criteria:

1. Instruction in police tactics – may include, but is not limited to, use of force continuum, officer and suspect safety, techniques to disperse a crowd, use of equine/K9 units, interaction with individuals who have mental health concerns, use of body worn cameras, protocols regarding firearm & taser use, how to properly restrain, concept of community policing, surveillance, and specialized units.
2. Ride-along with patrol officers – to gain an understanding of what a patrol officer experiences during a shift.
3. Seminars on relevant constitutional and criminal law – likely to include information related to the 1st, 4th, 5th, and 14th Amendments to the U.S. Constitution as well as

§1983 actions associated with alleged violations of any rights, privileges, or immunities granted by the U.S. Constitution.

4. Instruction in de-escalation techniques – to include information about reducing conflict and calming interactions towards the goals of reducing violent outcomes and increasing officer and suspect safety.
5. Training in diversity, inclusion, cultural competency, and implicit bias – provide clarity regarding what exactly implicit bias is and how to minimize its effects on judgment and decision making. Learn how to be mindful of the damage that can be caused when acting according to stereotypes/biases. Learn about the importance of representation and creating equal opportunity to contribute, and how to promote diversity and inclusion towards the development and advancement of underrepresented groups.

SECTION 3. REMOVAL OF A BOARD MEMBER

At the recommendation of the Board, the Mayor, with the concurrence of Council, may remove any member so appointed, for inefficiency, neglect of duty (including failure to attend meetings or complete mandatory training), or malfeasance in office, having first given to such member a copy of the charges and an opportunity to be heard in person or by defense counsel, before the City Council. Such removal shall be final.

Board Members must attend every Board meeting or, if unable to attend, seek to be excused from the meeting by the chairperson prior to the meeting. Any Board Member who shall have been absent from two (2) consecutive regular meetings of the Board without having been so excused by the Chairperson shall be deemed to have neglected their duty and the Board may seek to recommend to the Mayor that the member be removed.

Newly appointed Board Members are prohibited from assuming their duties until such time as they have completed the required Comprehensive Training Program. Board Members who are unwilling or unable to fulfill their statutory duty to complete the Comprehensive Training Program within six (6) months of their appointment will be deemed to have thereby vacated their seat on the Board.

A Board Member may be recommended for removal to the Mayor by a two-thirds (2/3) vote of the seated Board for any behavior constituting inefficiency, neglect of duty, or malfeasance in office.

ARTICLE III – ORGANIZATION AND OFFICERS

SECTION 1. OFFICERS

There shall be the following officers of the Board: a chairperson and a vice-chairperson.

SECTION 2. CHAIRPERSON

The Mayor shall appoint one of the Board members to serve as the chairperson of the initial Board. Thereafter, the Board shall annually elect from its membership a chairperson whose role it will be to preside over meetings of the Board. The chairperson shall prepare the agenda, call meetings to order, announce the business of the Board, recognize persons who are entitled to speak, and authenticate by signature decisions of the Board, among other duties.

SECTION 3. VICE-CHAIRPERSON

Annually, the Board shall elect from its membership a vice-chairperson who shall serve in the absence of the chairperson.

SECTION 4. COMMITTEES AND SUBCOMMITTEES

The chairperson may establish one or more committees, each of which will consist of three or more Board Members, one of whom shall serve as committee chair. The chairperson shall appoint all committee members, including chair of the committee.

By majority vote of the Board, committees so established shall be determined to be Standing Committees or Special Committees. Standing Committees will continue and be referenced in the Bylaws unless or until dissolved by majority vote of the Board. Special Committees shall have a narrowly defined purpose and shall be dissolved upon such date as the purpose is completed.

ARTICLE IV – DUTIES OF MEMBERS AND STANDARDS OF CONDUCT

SECTION 1. ATTENDANCE

The Board is a public body. As a public body, Board Members are required to attend, in person, in order to be considered present for purposes of constituting a quorum and to vote. Should virtual attendance be authorized by an act of the General Assembly, by order of the Governor or Mayor, or by amendment or wavier of provisions of the City Charter, then the Board may perform its duties in accordance with any virtual attendance requirements that may be so provided.

SECTION 2. ABSENTEEISM

Board Members are expected to attend the regular meetings of the Board. A Board Member who, due to illness, travel schedules, jury duty, or other unavoidable conflict will be unable to attend a meeting shall notify the Administrative Coordinator, prior to the time of the meeting, of the member's unavailability. The Administrative Coordinator shall notify the chairperson of any such communications from members of the Board and the chairperson may excuse said absences when determined to constitute an unavoidable conflict. The chairperson shall make note of the excused or unexcused absence of any Board Member upon calling the meeting to order.

SECTION 3. CONFIDENTIALITY

Board members may have occasion to review materials that are confidential in nature. Any confidential information learned as a result of the review of protected documents shall be kept confidential, except for official purposes or except when disclosure is ordered by a court of competent jurisdiction. Board members are strictly prohibited from discussing the substance of any confidential matters brought before the Board with anyone other than Board members or their legal advisor unless ordered to do so by a court of competent jurisdiction. Any person divulging such information may be found to be in violation of Ohio Revised Code §1347.15(H)(2), a misdemeanor of the first degree. Each disclosure shall constitute a separate offense.

The duties of Board members set forth in this Section shall continue in full force and effect in perpetuity and shall expressly survive the expiration of any Board member's term.

SECTION 4. CONFLICT OF INTEREST

Each Board member has a duty to disclose potential conflicts of interest, particularly with respect to individual investigations reviewed by the Board. A Board member with a potential

conflict of interest must recuse herself /himself from hearing or participating in discussions on the matter. A Board member with a potential conflict of interest shall notify the chairperson and the Administrative Coordinator as soon as practicable.

SECTION 5. PROFESSIONALISM

All Board members shall act in a professional manner while discharging their duties as Board members.

ARTICLE V – OFFICE OF THE INSPECTOR GENERAL PERSONNEL

SECTION 1. ADMINISTRATIVE COORDINATOR

The Inspector General shall select a Department employee to serve as Administrative Coordinator to assist the Board in scheduling meetings, preparing investigations for review, transmitting confidentially all documentation necessary for the Board to access in order to discharge its duties, and performing related administrative tasks at the request of the Board. In this capacity, the Administrative Coordinator may:

- (a) Prepare, at the direction of the chairperson, the agenda for the regular meetings;
- (b) Receive correspondence on behalf of the Board;
- (c) Respond to any requests for additional information from the Board, including coordinating requests for Legal Counsel;
- (d) Maintain records on behalf of the Board;
- (e) Respond to public records requests on behalf of the Board;
- (f) Forward to the Board members, using secure means, any confidential documents necessary for the Board's review;
- (g) Make all arrangements for a court reporter to attend and create a transcript of each hearing;
- (h) With respect to regular meetings, send Board members a reminder at least forty-eight (48) hours before the prescribed time to convene;
- (i) Advertise regular meetings open to the public by publishing notice in the City Bulletin at least forty-eight (48) hours prior to the regular meeting, and notify any members of the public or media that have requested notification of such meetings; and
- (j) Contact new Board members and provide copies of any Board orientation documents including a copy of these Bylaws.
- (k) Other duties as assigned pertaining to the work of the Board.

SECTION 2. INSPECTOR GENERAL

The Inspector General or designee shall be in attendance at all Board meetings and may be called upon to provide status updates on pending administrative reviews or other matters.

ARTICLE VI – LEGAL COUNSEL

The Board shall be represented by counsel from the City Attorney's Office. Upon notification by the Board that legal counsel is required, the Administrative Coordinator shall contact the City Attorney's Office to coordinate the assistance needed. The City Attorney or designee shall be in attendance at all Board hearings and may be in attendance at Board meetings if called upon to provide legal guidance.

ARTICLE VII – REGULAR MEETINGS

SECTION 1. PROCEDURAL RULES

Meetings of the Board shall be open to the public. Generally, regular meetings shall be conducted in accordance with these Bylaws. Where the Bylaws are silent, Robert's Rules of Order, Newly Revised may be consulted.

SECTION 2. QUORUM

All meetings convened for official action must have a quorum present to conduct business. If a quorum is not present, or not maintained, the present Board members may discuss matters of general concern, but official action requiring a vote may not be taken and must be deferred to a future meeting.

All matters to be considered by the Board for official action are to be decided upon by an affirmative voice vote, with a majority vote of the members present needed to affirm action.

SECTION 3. ORDER OF BUSINESS

The order of business for the Board shall be at the discretion of the chairperson. However, the agenda for each regular meeting shall include:

1. Roll call by the Administrative Coordinator
2. Approval of the minutes of the last meeting.
3. Presentation of any reports from committee chairs or other persons.
4. Inspector General report.
5. Discussion of matters of old business, if any.
6. Discussion of matters of new business, if any.
7. Correspondence.
8. Adjourn the meeting.

ARTICLE VIII — ADOPTION, CERTIFICATION, AND PUBLICATION OF RULES AND REGULATIONS

SECTION 1. ADOPTION OF RULES AND REGULATIONS

The Board has the authority to promulgate Rules and Regulations, in accordance with §121.05, to carry out its duties as provided for in the Charter and in chapter 235.

Rules and Regulations may be adopted by a two-thirds (2/3) vote of the seated Board. All Board members must receive a copy of any proposed Rule or Regulation(s) at least seven (7) business days prior to a vote on the proposed Rule/Regulation. The text of proposed Rules and/or Regulations shall be distributed to all members in the same manner as regular meeting materials.

SECTION 2. CERTIFICATION AND PUBLICATION OF RULES AND REGULATIONS

Immediately upon adoption by a two-thirds (2/3) vote of the seated Board, a copy of any Rules and Regulations shall be certified and attested to by the chairperson. The certified copy shall be submitted to the Administrative Coordinator for filing with the City Clerk and publication in the City Bulletin within twenty (20) calendar days thereafter in accordance with Columbus City Codes §121.05. Rules and Regulations shall become effective on the tenth day following publication in the City Bulletin.

A copy of all adopted Rules and Regulations shall be maintained by the Administrative Coordinator on behalf of the Board and by the Columbus City Clerk.

SECTION 3. AMENDMENTS; REPEAL

The Board may amend (or repeal) Rules and Regulations by a two-thirds (2/3) vote of the seated Board. All Board members must receive a copy of any proposed amendment(s) at least seven (7) business days prior to a vote on the proposed amendments. Proposed amendment(s) shall be distributed to all members in the same manner as regular meeting materials.

Amendments adopted pursuant to the foregoing procedures shall be effective on the tenth calendar day after promulgation by publication in the City Bulletin in accordance with Columbus City Codes §121.05.

CERTIFICATION

I, Janet E Jackson, Chairperson of the Columbus Civilian Police Review Board, certify the foregoing to be a true and exact copy of the By-laws of this body as adopted by the Columbus Civilian Police Review Board on the fifth (5th) day of October, 2021.

X

Janet Jackson
Chair